

**ZENO B. BAUCUS  
RYAN G. WELDON**  
Assistant U.S. Attorneys  
U.S. Attorney's Office  
James F. Battin U.S. Courthouse  
2601 Second Ave. North, Suite 3200  
Billings, MT 59101  
Phone: (406) 657-6101  
FAX: (406) 657-6989  
Email: zeno.baucus@usdoj.gov  
ryan.weldon@usdoj.gov

**ATTORNEYS FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

<b>UNITED STATES OF AMERICA,</b>	<b>CR 23-79-BLG-SPW</b>
<b>Plaintiff,</b>	<b>UNITED STATES' NOTICE OF</b>
<b>vs.</b>	<b>EXPERT WITNESS UNDER</b>
<b>ADOLFO VARGAS LEPE,</b>	<b>FEDERAL RULES OF CRIMINAL</b>
<b>Defendant.</b>	<b>PROCEDURE 16(a)(1)(G)</b>

The United States of America, by and through Assistant United States Attorneys Zeno B. Baucus and Ryan G. Weldon, pursuant to Rule 16(a)(1)(G) of

the Federal Rules of Criminal Procedure, hereby provides notice of the anticipated testimony of the following expert witness:<sup>1</sup>

Tony Rahlf, Special Agent, Digital Forensic Examiner  
Federal Bureau of Investigation  
Intermountain West Regional Computer Forensics Laboratory

The procedures Agent Rahlf used are reflected in his Report of Examination provided in discovery, which is signed by Agent Rahlf. Agent Rahlf is expected to testify that he processed and created a digital report for the phone recovered from the defendant, Adolfo Lepe. The phone was a Motorola Moto G, with a serial number of 352862241090825, and a lab number of IWR124103. Agent Rahlf also extracted the SIM card from the phone and decoded the data. The extracted files were verified via SHA256 hashing, which Agent Rahlf will explain to the jury. Specifically, Agent Rahlf's digital report uncovered a photograph of Jane Doe 3 in a cage during the timeframe of the kidnapping charged in count 3 of the Second Superseding Indictment.

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<sup>1</sup> The United States does not believe Special Agent Rahlf's testimony is expert opinion testimony, but out of an abundance of caution, this expert notice disclosure is provided to the Court and defense. *See, e.g., United States v. Colon Osorio*, 360 F.3d 48, 53 (1st Cir. 2004) ("The line between expert testimony under Fed. R. Evid. 702 (which is subject to disclosure requirements of Rule 16(a)(1)(G)) and lay opinion testimony under Fed. R. Evid. 702 (which is not subject to Rule 16(a)(1)(G)) is not easy to draw . . .").

Additionally, Agent Rahlf unlocked, extracted, and created a digital report for the phone used by Jane Doe 3 to communicate with Adolfo Lepe and others. The phone is a Samsung Galaxy SM-S134DL and has a lab number of IWR124106. Agent Rahlf physically examined and photographed the phone. Agent Rahlf obtained the cell phone PIN (5264) by using forensic tools to unlock the phone, and Agent Rahlf will explain and describe those tools to the jury. Agent Rahlf verified the extracted files with SHA256 hashing, which Agent Rahlf will also explain.

Agent Rahlf will further testify as to the basis of his opinions, including the standard operating procedures of the Intermountain West Regional Computer Forensics Laboratory in receiving, storing, and analyzing submitted items, and the means, methods, and instruments used in his analysis of the items. The Report of Examination regarding Agent Rahlf's analysis of the submitted items has been provided in discovery.

Pursuant to Fed. R. Crim. P. 16(a)(1)(G)(v), an executed summary of his anticipated testimony has been provided in discovery, as has a copy of his curriculum vitae. Agent Rahlf has no publications, and he has no prior testimony.

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It is not anticipated that Agent Rahlf will be testifying as a lay witness beyond the statements identified above.

DATED this 30th day of October, 2024.

JESSE A. LASLOVICH  
United States Attorney

/s/ Zeno B. Baucus  
Assistant U.S. Attorney  
Attorney for Plaintiff

/s/ Ryan G. Weldon  
Assistant U.S. Attorney  
Attorney for Plaintiff

## CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2024, a copy of the foregoing document was served on the following persons by the following means:

- (1,2) CM/ECF
- ☐ Hand Delivery
- ☐ U.S. Mail
- ☐ Overnight Delivery Service
- ☐ Fax
- ☐ E-Mail

1. Clerk, U.S. District Court

1. Edward Werner  
Counsel for Defendant

JESSE A. LASLOVICH  
United States Attorney

/s/ Zeno B. Baucus  
Assistant U.S. Attorney  
Attorney for Plaintiff

/s/ Ryan G. Weldon  
Assistant U.S. Attorney  
Attorney for Plaintiff